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Report of the Working Group on the Universal Periodic Review*

Belgium

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-fourth session from 18 to 29 January 2016. The review of Belgium was held at the 6th meeting on 20 January 2016. The delegation of Belgium was headed by the Deputy Prime Minister and Minister of Foreign Affairs, Foreign Trade and European Affairs, Didier Reynders. At its 10th meeting, held on 22 January 2016, the Working Group adopted the report on Belgium.

2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Belgium: China, Georgia and Namibia.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Belgium:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/24/BEL/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/24/BEL/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/24/BEL/3 and Corr.1).

4. A list of questions prepared in advance by the Czech Republic, Germany, Mexico, the Netherlands, Norway, Slovenia, Spain, the United Kingdom of Great Britain and Northern Ireland and the United States of America was transmitted to Belgium through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The Deputy Prime Minister and Minister of Foreign Affairs, Foreign Trade and European Affairs in his introductory statement noted that Belgium attached particular importance to a universal human rights policy. It promoted the implementation of human rights at the international, European and bilateral levels. Belgium also considered it essential to apply these universal principles at the national level and remained committed to fulfilling its obligations in that regard. The protection of human rights required constant vigilance. The peer review was an important exercise aimed at protecting and strengthening the implementation of these fundamental rights.

6. The Minister also recalled that Belgium was a federal State. The protection of human rights was therefore ensured on several levels of government. Accordingly, the national report was the result of close consultation between the various constituent parts of Belgium, including the Communities, which were responsible, inter alia, for education and cultural issues, and the Regions, which were in charge of territorial matters. Belgium also continued to strengthen its legislative, legal and policy framework in that respect, with a view to protecting human rights in the country. This institutional framework entailed responsibilities at different levels of government, but also shared responsibility in certain areas.

7. The Minister stated that human rights were effectively promoted and protected in Belgium, through the existing legislative framework and through its strict implementation. Belgium attached great importance to these universal international standards and made a determined effort to implement them. That also explained why Belgium was among the limited group of countries that were never late in submitting their periodic reports to United Nations treaty bodies.

8. Belgium had acceded to most of the international human rights conventions. Since the last universal periodic review, Belgium had acceded to the International Convention for the Protection of All Persons from Enforced Disappearance in 2011 and in 2014 to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. The ratification procedures for the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence had been completed and Belgium would shortly be formally depositing its instrument of ratification with the Council of Europe.

9. The Minister continued his statement by stressing that the fight against all forms of discrimination was a central concern of Belgium. The Government therefore took its commitments to gender equality very seriously. The issue was the focus of special attention at all levels of government. Various laws had been adopted with the aim of improving the representation of women in professional and political life. Progress made in that regard had been encouraging. Particular attention had also been paid to combating sexism and promoting equality through education. Belgium had also adopted a new ambitious and comprehensive national plan to combat gender-based violence for the period of 2015-2019.

10. Regarding the combat against racism and xenophobia, legislative and legal instruments had been amended so as to better detect and punish discrimination and violence based on racial hatred. The training component — whether for the police or for teachers — had not been forgotten. Combating specific discrimination against lesbian, gay, bisexual and transgender (LGBT) persons had also received particular attention, with a focus on both prevention and protection. In line with the Convention on the Rights of Persons with Disabilities, Belgium had established a new legal protection status based on the autonomy of persons with disabilities. The new law on legal capacity, which had entered into force on 1 September 2014, provided that a person shall be considered capable, unless expressly deemed incapable of certain acts by the justice of the peace. The new system was based on the individual needs of the person requiring protection. Measures had also been taken to prevent the placement in prison of persons who required psychiatric confinement. The opening of a new centre of forensic psychiatry and establishment of long-term residence units for detainees in psychiatric institutions had led to a substantial reduction in the number of persons requiring psychiatric confinement that were held in prisons. Projects aimed at optimal social integration were ongoing.

11. In the area of justice, Belgium had launched a series of initiatives aimed at reducing prison overcrowding. It had thus invested in new institutions and had renovated existing structures. It had also taken measures to strengthen alternative penalties to imprisonment. The results of these measures had been encouraging and had helped to reduce prison overcrowding from 25 per cent to 8 per cent.

12. The Minister also referred to the adoption in 2011 of the Act amending the Code of Criminal Procedure (the "Salduz" Act), which set forth several important new rights, including the right to consult privately with a lawyer before being questioned and the right of persons deprived of their liberty to be assisted by a lawyer during hearings and interrogations. Significant efforts had been made to ensure that judicial proceedings were of a reasonable length. Moreover, a compensation procedure was available in the event of excessively long criminal proceedings.

13. Belgium paid particular attention to combating poverty and had developed tools to better target poverty reduction measures, such as the inter-federal poverty barometer. To strengthen the focus on children's rights in this context, a national plan to combat child poverty had been approved in 2013. A second plan would shortly be finalized.

14. With regard to asylum, the Minister said that every asylum seeker could submit an application, in accordance with the international conventions in force. Applicants were informed of their rights throughout the process. Legislation had been amended in an effort to address certain shortcomings identified by international and national courts. The new Federal Migration Centre took an active approach to ensuring respect for human rights under its reception policy. Specific measures had been adopted to protect women and children. Reforms had also been introduced to ensure that minors were no longer held in secure centres. Secure centres were solely used subject to international law for specific cases governed by law.

15. Like many other member States of the European Union, Belgium had experienced a significant increase in the number of asylum applications lodged during the second half of 2015. Considerable efforts had been made within a very short time frame to strengthen reception capacity. The number of places in the reception network had thus risen from 18,000 places in June 2015 to nearly 33,500 places by the end of December 2015.

16. Since 2011, Belgium had maintained its strenuous efforts to combat trafficking in persons. A new national action plan for the period 2015-2019 had been adopted in 2013, as well as three criminal laws, which expanded the scope of application to all forms of sexual exploitation and increased the number of judicial tools available to combat this scourge.

17. Two projects were being developed by the current Government. The first was the outline of a national plan on "human rights and businesses", which was due to be adopted shortly. The second was the establishment, scheduled for the end of this parliamentary term, of an independent national human rights mechanism, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles). Belgium had many instruments related to such a mechanism, including the National Commission on the Rights of the Child, the Centre for Equal Opportunities and mediation services that were independent of the Executive. The first challenge would therefore consist in integrating the various existing instruments into a coherent whole and adding activities in areas that had not yet been addressed.

18. Although minorities benefited from many national and international protection mechanisms in Belgium, the Framework Convention for the Protection of National Minorities, to which Belgium, as well as other countries, had made a reservation, had not yet been ratified. The reservation made by Belgium was as follows: "The Kingdom of Belgium declares that the Framework Convention applies without prejudice to the constitutional provisions, guarantees or principles, and without prejudice to the legislative rules which currently govern the use of languages. The Kingdom of Belgium declares that the notion of national minority shall be defined by the inter-ministerial conference of foreign policy". This issue fell under the remit of federal and federated entities. To date, no agreement on a definition had been agreed in Belgium between the various authorities responsible for assenting to the text. A working group was charged with addressing this issue, in particular with a view to defining the concept of minorities. Since Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) aimed at eliminating all forms of discrimination had not yet been approved by all entities, Belgium was unable to ratify it. The Flemish Government wished to await the jurisprudence of the European Court regarding the scope of this Protocol.

19. The Minister went on to address the issue of terrorism, a global phenomenon that had reached a scale never seen before. Belgium had not been spared: the first attack committed in Europe by a jihadist returning from Syria had taken place in Brussels in 2014. Numerous provisions to combat terrorism had been in force in Belgium for several years. In 2006, a national action plan had been adopted to combat radicalization, which was currently under review. Strengthening measures to combat radicalism formed a key part of the 2014 Government Agreement. A comprehensive and integrated stance had been taken, based on close cooperation among the various stakeholders, improved information sharing and a combination of administrative and judicial approaches. In 2015, the Government had approved two sets of new measures to combat radicalization. These measures were of both a preventive and a repressive nature. Upstream, the Government was making every effort to ensure that all Belgian citizens felt involved and efforts were ongoing in the education sector in that regard. Downstream, the State had to ensure public security in the face of the terrorist threat. Belgium remained willing to assume its responsibilities in this context and would continue to do so, in accordance with its international human rights commitments.

20. In conclusion, the Minister of Foreign Affairs, Foreign Trade and European Affairs emphasized the long tradition of collaboration between successive Belgian Governments and civil society. The Belgian authorities regularly consulted and listened to civil society. The report for universal periodic review had been circulated among civil society organizations, which had made detailed, critical comments on several issues contained therein and had highlighted the progress that were still needed in Belgium in terms of human rights. While collaboration had been intensive, there was always room for improvement. Having taken note of the comments made by civil society on the Belgian approach towards the preparation of its report for universal periodic review, the Government was determined to work with all relevant authorities on measures to further refine the process in the future. In the follow-up to the session of the Working Group on the Universal Periodic Review, it would certainly engage in a constructive dialogue with civil society.

B. Interactive dialogue and responses by the State under review

21. During the interactive dialogue, 100 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

22. Togo welcomed the ratification by Belgium of several international instruments as well as the measures taken to combat racism and discrimination.

23. Tunisia welcomed the adoption of policies and measures to prosecute acts of discrimination and hate-related violence. It also encouraged Belgium to continue its efforts in favour of official development assistance.

24. Turkey expressed concern about the rise of Islamophobic acts and noted that religious freedom for Muslims was limited at school, at work and in administration.

25. While acknowledging the efforts undertaken, Ukraine encouraged Belgium to take further measures, in cooperation with civil society, to monitor and implement the recommendations of the universal periodic review.

26. The United Arab Emirates commended Belgium for its promotion of the rights of vulnerable groups. It expressed concern about reports of religious discrimination and Islamophobia.

27. The United Kingdom encouraged Belgium to expedite the process of the establishment of a national human rights institution.

28. While noting the efforts of Belgium to combat discrimination, the United States expressed concern about instances of discrimination against members of minority groups.

29. Uruguay considered that the independence of the national human rights institutions enshrined in the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) was a fundamental principle to respect, and noted that several actors were concerned about overcrowding in prisons.

30. Uzbekistan noted the concern of United Nations human rights bodies about Islamophobia and anti-Semitism, and the excessive use of force by law enforcement representatives against immigrants.

31. The Bolivarian Republic of Venezuela expressed concern about the prison system in Belgium and the overcrowded conditions systematically described by international bodies as cruel, inhuman or degrading treatment.

32. Zambia called upon Belgium to take measures to combat racially motivated violence and ill-treatment by police officers targeting persons with immigrant backgrounds.

33. Afghanistan commended Belgium for its training programmes for judges, police officers and other professionals aimed at combating gender-based violence.

34. Albania commended Belgium for the progress achieved in the area of human rights.

35. Algeria welcomed the enactment of new legislation, such as the 2013 law which provided for heavier penalties for certain offenses with racial motivations.

36. Angola encouraged Belgium to continue its efforts to improve prison capacity and find alternatives to imprisonment.

37. Argentina welcomed the ratification by Belgium of the International Convention for the Protection of All Persons from Enforced Disappearance and the work carried out by the authorities to address racism and discrimination.

38. Armenia welcomed the instruments set up by Belgium in the framework of the fight against racial discrimination, extremism and xenophobia.

39. Australia acknowledged efforts made by the Belgian Centre for Equal Opportunities on the implementation of obligations under the Convention on the Rights of Persons with Disabilities.

40. Azerbaijan welcomed the ratification of several international human rights instruments by Belgium since its first review.

41. Bahrain expressed concern about xenophobic speeches by politicians in the media and cases of xenophobia amongst law enforcement bodies.

42. Bangladesh expressed appreciation for the actions adopted by Belgium to curb racial discrimination. Nonetheless, it noted the concern of the Committee on the Elimination of Racial Discrimination about acts of Islamophobia in Belgium.

43. Belarus noted measures to combat racism, extremism and xenophobia, but considered that a holistic approach was needed to root out their causes. It noted that priority should be given to addressing a high level of poverty.

44. Benin welcomed the measures undertaken by Belgium to address prison overcrowding situations, improve the conditions of detention and fight against racial discrimination.

45. Botswana welcomed the measures adopted by the French Community for combating racism and discrimination, and encouraged Belgium to adopt a national action plan against racism.

46. The Plurinational State of Bolivia welcomed the progress made by Belgium since its first review.

47. Sweden commended the initiative of Belgium to reduce violence against women. It noted, however, a high unemployment rate among foreign-born citizens.

48. Bulgaria commended the commitment of Belgium to the process and implementation of the universal periodic review, and noted that combating racism, extremism and xenophobia remained a priority for Belgium.

49. Burkina Faso commended Belgium for the measures taken to find alternatives to imprisonment, strengthen the rights of persons under criminal investigation, and reduce prison overcrowding.

50. Canada encouraged Belgium to fully implement the national action plan to combat gender-based violence.

51. Chad commended Belgium for its efforts in implementing the recommendations of the review and for its midterm report in 2013.

52. Chile noted the commitment of Belgium to human rights and its cooperation with the United Nations, and praised the Government for improving its human rights standards.

53. China noted the progress of Belgium in ratifying human rights instruments, and welcomed plans to combat poverty, gender discrimination, domestic violence, contemporary slavery and discrimination against refugees and migrants.

54. Colombia recognized the commitment of Belgium to implement the recommendations from the first cycle, and the Government's efforts to train the armed forces and judicial officers on human rights.

55. The Congo urged Belgium to find an agreement to establish a national human rights institution compliant with the Paris Principles.

56. Costa Rica noted the efforts to detect and prosecute cases of discrimination, and expressed concern about instances of excessive use of force by law enforcement officials.

57. Côte d'Ivoire encouraged Belgium to continue its programmes against poverty and domestic violence.

58. Belgium confirmed that the Government remained committed to establishing an independent national human rights institution during the course of its current parliamentary term.

59. Regarding the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, signed in 2005, the delegation stated that the ratification procedure was still ongoing and not yet complete.

60. Concerning religious discrimination, the Minister pointed out that the legal framework in Belgium protected the right to freedom of religion and expression. The delegation appealed to all United Nations Member States to abolish laws against blasphemy and apostasy, which led to unacceptable breaches of freedom of religion and expression.

61. Similarly, responding to the concerns expressed by various delegations regarding unlawful police violence, the delegation gave an outline of the existing legal framework to prevent and combat its occurrence. Belgium also responded to questions concerning alleged ethnic profiling by law enforcement officers and stated that the law prohibited discrimination according to a number of protected criteria, including ethnic origin, and set forth sanctions for any police officer found guilty of such offences.

62. In respect of the wage gap between men and women, the delegation explained that Belgium had regulations prohibiting gender-based discrimination for equal work.

63. Regarding the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Belgium attached importance to upholding the rights of migrants, but was not in a position to accede to the Convention since it conferred equal rights upon both regular and irregular migrant workers. This approach differed from the regulations in force at the European and national level.

64. Cuba recalled that the Committee against Torture had expressed concern regarding information indicating that law enforcement officers used excessive force to carry out interrogations or detentions.

65. The Czech Republic warmly welcomed the delegation of Belgium and expressed appreciation for the responses of Belgium to advance questions.

66. The Democratic Republic of the Congo commended Belgium for the adoption of a law which provided for heavier penalties for certain offenses with racial motivations.

67. Denmark welcomed the acceptance by Belgium of the recommendation to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; inquired about steps taken to achieve ratification; and encouraged establishment of an A-status national human rights institution.

68. Djibouti expressed appreciation for the positive steps taken in the protection and promotion of human rights since the first review.

69. The Dominican Republic, considering the efforts of Belgium to improve prisons, invited the Government to learn from the Dominican prison system, held up as an example by other States.

70. Ecuador expressed concern regarding the security approach used against migrants and refugees, and about the enactment of the Agrofuels Act affecting third countries.

71. Egypt commended the creation of family courts, human rights training and inclusive education, and expressed concern about racism and regret about the lack of a national human rights institution.

72. Estonia noted progress in promoting employment equality, reducing the wage gap, combatting gender-based violence and ensuring child rights, and called for more consultations with vulnerable groups.

73. Fiji noted the need for progress in establishing a national human rights institution, and addressing prison overcrowding through improved detention standards.

74. France made recommendations.

75. Georgia encouraged Belgium to establish a national action plan on human rights and continue midterm reporting on implementation, and noted its ratification efforts and human rights commitment.

76. Germany welcomed Belgium to the Human Rights Council and commended its progress made since the 2011 review of Belgium and its continued engagement with human rights mechanisms.

77. Ghana lauded the actions of Belgium to improve prison conditions; legislation targeting racism, extremism and xenophobia; and steps taken toward a national human rights institution.

78. Greece congratulated Belgium for its treaty ratifications, progress in establishing a national human rights institution, anti-discrimination work, and efforts to fight sexual violence and protect women and children.

79. Honduras welcomed progress achieved in implementing the recommendations of the first review and the actions undertaken to establish a national human rights institution.

80. Hungary appreciated efforts to implement the recommendations of the universal periodic review, but noted gaps concerning the Optional Protocol to the Convention against Torture and a national human rights institution, and asked about efforts addressing anti-Semitism.

81. Iceland praised the engagement of Belgium with the review and its mechanisms combating racial discrimination. It also cautioned against de facto discrimination and urged quick implementation of its gender-based anti-violence strategy.

82. India commended efforts toward awareness-raising and training of judges and police, but noted concern for the reported use of excessive force against immigrants.

83. Indonesia thanked Belgium for its engagement with the universal periodic review, and expressed appreciation for steps taken to combat racism, extremism and xenophobia, and to protect women, minors and asylum seekers.

84. The Islamic Republic of Iran noted the right to health in Belgium, and expressed concern over increasing racial discrimination, racism, xenophobia, intolerance and Islamophobia.

85. Iraq praised Belgium for its implementation of universal periodic review recommendations, and lauded its efforts to implement human rights consistent with international standards and steps against racism and extremism.

86. Ireland praised Belgium for its universal periodic review reporting and implementation, and encouraged it to enact specific legislation prohibiting corporal punishment in all circumstances.

87. Israel highlighted past recommendations of the universal periodic review on prosecution of discrimination and hate-related violence, such as that related to Holocaust denial; action plans to address discrimination against lesbian, gay, bisexual, transgender and intersex persons; and child rights indicators.

88. Japan welcomed measures taken in support of gender balance in government, the private sector and education, and commended Belgium for its protections for women and minors among refugees and migrants.

89. Kazakhstan commended Belgium for ratification of international human rights instruments and for efforts in administering justice and combating contemporary forms of slavery.

90. Kyrgyzstan noted the efforts to strengthen its legislation to promote and protect human rights and its progress to follow up on the outcome of the universal periodic review.

91. Lebanon expressed appreciation for efforts deployed to promote and protect human rights, and welcomed preventive and deterrent measures to fight discrimination and xenophobia.

92. Libya made recommendations.

93. Liechtenstein welcomed efforts by Belgium towards the elimination of discrimination against women and its progressive measures to protect the right to privacy.

94. Lithuania commended ratification by Belgium of international treaties, its efforts to create a national human rights institution in compliance with the Paris Principles, and efforts to improve prison conditions.

95. Malaysia noted new legislation that enabled action against acts of discrimination and hate-related violence, and improvements in the rights of women, children and persons with disabilities.

96. Mexico commended the efforts of Belgium to implement the recommendations of the universal periodic review, such as the future establishment of a national human rights mechanism in accordance with the Paris Principles.

97. Montenegro welcomed activities undertaken by Belgium to ensure gender equality, highlighted inclusive educational integration policies for children with disabilities and integration of migrants, and noted concerns regarding child abuse and street children.

98. Morocco congratulated Belgium for ratifying new human rights instruments, particularly the International Convention for the Protection of All Persons from Enforced Disappearance, as well as for its efforts to combat racism, intolerance and discrimination.

99. Belgium said that the prohibition of incitement to hatred constituted one of the legal restrictions on freedom of expression and that there were three federal laws in force to combat incitement to hatred: the Act prohibiting certain acts motivated by racism or xenophobia; the Act to combat certain forms of discrimination; and the Act prohibiting the denial, minimization, justification or approval of the genocide committed by the German Nazi regime during the Second World War. Furthermore, the Government had started to draft a national action plan against racism, xenophobia and intolerance.

100. On the issue of discrimination, notably in terms of housing and employment, the delegation recalled that, under Belgian law, equal treatment applied to all areas of social life. To combat discrimination in the various sectors, Belgium had also devised instruments to measure diversity, such as the diversity barometer. Furthermore, several initiatives conducted by the Government, professional associations and companies aimed to raise awareness of the risks of documented discriminatory practices in the hiring process and their deleterious effects.

101. Regarding the wearing of religious symbols in education, the delegation stated that there was no legislation governing the wearing of the veil in schools. It was incumbent upon each educational establishment to decide whether or not to authorize such distinctive signs. Whatever the case, children retained their access to school.

102. With regard to corporal punishment, while Belgian legislation did not explicitly prohibit the practice, it was not tolerated.

103. Concerning female genital mutilation, Belgium had introduced legislation prohibiting the practice in 2000 and, since July 2014, the law expressly provided for the punishment of persons practising, facilitating and promoting all forms of female genital mutilation and persons who incited the practice.

104. Namibia applauded measures to combat racism and discrimination taken by Belgium in 2013 and 2014.

105. Nepal took note of the liberal nature of the preventive measures to fight racism, extremism and xenophobia.

106. The Netherlands commended action plans against homophobia and transphobia, and stressed the importance of ensuring respect for human rights standards within the police.

107. Nicaragua recognized the efforts to promote social integration, tolerance and respect for interculturalism, to fight violence and to promote the rights of youths.

108. Norway commended follow-up to the first review in the fields of children's rights, gender equality and combating racism, as well as legal changes made to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).

109. Pakistan welcomed the progress of Belgium in implementing recommendations of the first universal periodic review cycle, and commended its ongoing national legislation reforms for strengthening the protection of human rights.

110. Panama welcomed the consultations with civil society in preparing the national report, and the legislative amendments to establish equality between men and women in the transmission of the family name to children.

111. Peru acknowledged that Belgium promoted intercultural dialogue in its specific education and social policies, and had developed a national policy for migrants and refugees.

112. The Philippines commended Belgium for its improvement of policies towards migrants and asylum seekers, as well as of its domestic legal framework to protect and promote women's rights.

113. Poland expressed appreciation for the activities of Belgium concerning the right to work, and applauded efforts to promote social inclusion, combat discrimination and support persons with disabilities.

114. Portugal welcomed the positive steps taken by Belgium since its previous review, including ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and of the International Convention for the Protection of All Persons from Enforced Disappearance.

115. The Republic of Korea commended follow-up to the first review that led to improvements in prison overcrowding, non-discrimination, gender equality and social integration.

116. The Republic of Moldova welcomed the commitment of Belgium to ratify the Optional Protocol to the Convention against Torture, recognized achievements in safeguarding children's rights, and sought comments regarding recent legislation on child euthanasia and sexual abuse of children.

117. The Russian Federation noted efforts to promote the integration of Roma, commended the development of the inter-federal poverty barometer, and expressed concern about minors becoming victims of sexual harassment.

118. Despite the efforts of Belgium, Saudi Arabia expressed concern about manifestations of discrimination, racism, xenophobia and Islamophobia.

119. Senegal welcomed the participatory, inclusive approach of Belgium to drafting the national report, efforts to implement most accepted recommendations, and ratification of several international human rights instruments.

120. Serbia commended the gender mainstreaming strategy of Belgium, and encouraged communication campaigns on gender equality, especially gender-based violence. It encouraged Belgium to ratify the Istanbul Convention.

121. Singapore welcomed efforts to combat racism and discrimination, including release of a 2013 joint circular on the policy of identifying and prosecuting discrimination and hate-related violence.

122. Slovakia welcomed initiatives to strengthen legal protection of women and children, and applauded efforts to increase accommodation facilities for asylum seekers and migrants. It noted the challenge of prison overcrowding in Belgium.

123. Slovenia commended ratification by Belgium of optional protocols to the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child, and welcomed improvements on human rights training and education, and on establishing a national human rights institution.

124. South Africa positively noted the 2013 Anti-Discrimination Law in Belgium, which increased penalties for certain offences in the case of aggravated circumstances based on discriminatory motives, and the National Roma Integration Strategy.

125. Spain congratulated Belgium for its compromise on abolishing the death penalty and fighting transphobia. It commended its coherence in combating violence against women and girls.

126. Sri Lanka noted the national action plan to fight human trafficking and the extension of rules of guardianship to cover unaccompanied minors in situations of vulnerability.

127. The State of Palestine took positive note of the measures in favour of the rights of persons with disabilities, as well as in the area of business and human rights.

128. Brazil welcomed the development of action plans against homophobia and transphobia, and the incorporation of additional legal protection for transgender people in domestic legislation.

129. Switzerland noted with satisfaction that significant measures had been taken to implement recommendations that were accepted at the first review.

130. Tajikistan noted efforts to implement international human rights obligations and to improve legislation through ratifying international human rights instruments.

131. Thailand commended the role of courts in Belgium in upholding human rights law. It welcomed the establishment of several human rights institutions, among others the Centre for Equal Opportunities and Action against Racism.

132. The former Yugoslav Republic of Macedonia expressed its concern about cases and forms of hate speech, discrimination and xenophobia.

133. During its final intervention, Belgium reported that the Act on Euthanasia permitted the practice on three conditions: the patient must be deemed capable and conscious at the time of his or her request; the request must be voluntary, duly pondered and repeated, and must not result from external pressure; and the patient must be in a hopeless medical condition and must be experiencing constant and unbearable physical or psychological suffering. No doctor was obliged to administer euthanasia. Moreover, a Federal Commission monitored and evaluated compliance with this legislation.

134. On the subject of the detention of unaccompanied foreign minors, the law provided that they could no longer be held in detention. When a person was identified as an unaccompanied foreign minor, he or she was transferred to an observation and orientation centre within 24 hours of notification of the determination of his or her age. Accompanied foreign minors stayed in private residences and accommodation facilities when they failed to meet the conditions of entry and residence, or once their stay had ceased to be regular or was illegal.

135. Responding to the questions concerning the fight against poverty, the delegation said that Belgium had begun work on the third federal anti-poverty plan in 2015, which included specific measures in terms of income, employment, health, housing, access to energy and

public services. This plan was being finalized and was due to be adopted during the course of 2016.

136. Belgium considered that technological developments over recent years had made the right to privacy more relevant than ever. The Government attached great importance to the right to privacy and had organized consultations to discuss the issue with various stakeholders. The Commission on Privacy Protection was an independent regulatory body that played an important role in that regard.

137. In conclusion, the Minister of Foreign Affairs, Foreign Trade and European Affairs thanked the delegations participating in the interactive dialogue for their questions and recommendations. He recalled that Belgium had supported the principles that formed the basis of the universal periodic review since its inception and noted that domestic follow-up mechanisms had been established to monitor the implementation of the recommendations made during the universal periodic review and by other international human rights bodies.

II. Conclusions and/or recommendations**

138. The recommendations formulated during the interactive dialogue/listed below have been examined by Belgium and enjoy the support of Belgium:

138.1 Continue efforts to clear the backlog observed in the process of ratification of certain legal instruments, in accordance with the recommendations formulated in its first universal periodic review of Belgium (Democratic Republic of the Congo);

138.2 Make the necessary adjustments to ratify the Optional Protocol to the Convention against Torture (Chile);

138.3 Ratify the Optional Protocol to the Convention against Torture and establish a national preventive mechanism in accordance with the Optional Protocol (Norway);

138.4 Ratify the Optional Protocol to the Convention against Torture as rapidly as possible and establish a national preventive mechanism in accordance with it (Kazakhstan);

138.5 Ratify the Optional Protocol to the Convention against Torture as soon as possible and establish an independent national preventive mechanism in compliance with the requirements of the Optional Protocol (Liechtenstein);

138.6 Speed up the process of ratification of the Optional Protocol to the Convention against Torture (Togo);

138.7 Swiftly ratify the Optional Protocol to the Convention against Torture (United Kingdom of Great Britain and Northern Ireland);

138.8 Intensify efforts to ratify the Optional Protocol to the Convention against Torture (Denmark);

138.9 Accelerate the process of ratification of the Optional Protocol to the Convention against Torture (the former Yugoslav Republic of Macedonia);

138.10 Pursue its efforts to ratify the Optional Protocol to the Convention against Torture (Morocco);

** The conclusions and recommendations have not been edited.

138.11 Continue its efforts to ratify the Optional Protocol to the Convention against Torture as soon as possible (Slovenia);

138.12 Finalise the ratification of the Optional Protocol to the Convention against Torture (Djibouti);

138.13 Consider ratifying the Optional Protocol to the Convention against Torture (Philippines);

138.14 Ratify as soon as possible the Optional Protocol to the Convention against Torture (Portugal);

138.15 Ratify the Optional Protocol to the Convention against Torture, signed in 2005 (Senegal);

138.16 Ratify the Optional Protocol to the Convention against Torture (Tunisia) (Azerbaijan) (Ukraine) (Zambia) (Estonia) (France) (Georgia) (Honduras) (Hungary) (Lebanon) (Lithuania) (Montenegro) (Poland);

138.17 Ratify the Optional Protocol to the Convention against Torture (Costa Rica);

138.18 Ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Albania);

138.19 Accelerate the ratification of the Istanbul Convention of the Council of Europe (Turkey);

138.20 Ratify the Istanbul Convention (Montenegro);

138.21 Move forward in the establishment of a national institution that contributes to the full enjoyment of all rights without discrimination, in accordance with the Paris Principles (Ecuador);

138.22 Rapidly adopt a legal framework establishing a National Human Rights Institution, in conformity with the Paris Principles (Fiji);

138.23 Speed up the process of establishing a national human rights institution in conformity with the Paris Principles (Tunisia);

138.24 Swiftly conclude the process to create a National Human Rights Institution in accordance with the Paris Principles (Hungary);

138.25 Prioritize the early establishment of a national human rights institution in line with the Paris Principles (Nepal);

138.26 Step up the process of establishing a national human rights institution (Slovenia);

138.27 Step up its efforts to establish its national human rights institution that is compliant with the Paris Principles (Philippines);

138.28 Expedite the creation of the national human rights mechanism that complies with the Paris Principles (Republic of Korea);

138.29 Expedite the establishment of a national human rights institution in accordance with the Paris Principles (Denmark);

138.30 Expedite the establishment of a National Human Rights Institution complaint with the Paris Principles (Georgia);

138.31 Expedite the establishment of the national human rights institution and make if fully compliant with the Paris Principles (Netherlands);

138.32 Expedite the creation of a National Human Rights Institution in accordance with the Paris Principles (Egypt);

138.33 Proceed as soon as possible to the establishment of a national human rights institution in conformity with the Paris Principles (Togo);

138.34 Establish a national human rights institution (Morocco);

138.35 Early establishment of a National Human Rights Institution in Belgium (India);

138.36 Establish a strong and well-funded national human rights institution that is fully compliant with the Paris Principles (Norway);

138.37 Establish, as a matter of priority, a National Human Rights Institution which is fully compliant with the Paris Principles (Australia);

138.38 Establish without further delay a National Human Rights Institution, complying with the Paris Principles (Ireland);

138.39 Establish a national human rights institution fully compliant with the Paris Principles, as Belgium committed to in the previous review (Kazakhstan);

138.40 Establish a Paris Principles-compliant national human rights institution (Namibia);

138.41 Establish a National Human Rights Institution fully compliant with the Paris Principles (Bulgaria);

138.42 Establish a National Human Rights Institution in full accordance with the Paris Principles (Germany);

138.43 Establish a national human rights institution in accordance with the Paris Principles (Azerbaijan) (Chad) (Pakistan) (South Africa);

138.44 Establish a national human rights institution in accordance with the Paris Principles, to promote and protect fundamental rights and guarantees (Panama);

138.45 Establish a national human rights institution in conformity with the Paris Principles on the status of national institutions for the promotion and protection of human rights (Portugal);

138.46 Establish an institution for the promotion and protection of human rights consistent with the Paris Principles (Chile);

138.47 Establish a national human rights mechanism pursuant to the Paris Principles, by drawing up a cooperation agreement between the different Belgian entities, without affecting the operation and independence of existing institutions that have a human rights mandate (France);

138.48 Continue with the process of dialogue necessary to ensure the establishment of a National Human Rights Institution (Uruguay);

138.49 Fully implement the Government agreement to create a national human rights mechanism that complies with the Paris Principles (Lithuania);

138.50 Consider the establishment of a National Human Rights Institution, in conformity with the Paris Principles (Indonesia);

138.51 Adopt measures to create a national human rights institution in conformity with the Paris Principles (Bahrain);

138.52 **Complete the process of the establishment of a National Human Rights Institution (Kyrgyzstan);**

138.53 **Engage civil society in the follow-up implementation process of the universal periodic review recommendations (Poland);**

138.54 **Increase efforts to promote gender equality in the economic and political fields (Japan);**

138.55 **Continue working on the harmonization of national policies and laws relating the rights of women in accordance with the international human rights instruments to which it is a party (Nicaragua);**

138.56 **Ensure laws safeguarding women's rights are effectively enforced, including the law banning female genital mutilation (Botswana);**

138.57 **Continue efforts to alleviate discrimination and support inclusion efforts for members of minority groups (United States of America);**

138.58 **Take stronger measures at the federal level to combat racism, xenophobia, intolerance and discrimination on religious grounds (Cuba);**

138.59 **Take additional measures to fight against racism, extremism and xenophobia (Kyrgyzstan);**

138.60 **Intensify its efforts in fighting against discrimination and intolerance, especially towards Muslims, immigrants and people of African descent (Tunisia);**

138.61 **Continue to strengthen its engagement with community leaders to build community support at all levels for measures to protect those most vulnerable to racism and discrimination (Singapore);**

138.62 **Step up measures to curb acts of racism, extremism and xenophobia and undertake efforts to improve interracial, intercultural and interreligious dialogue and sensitivity (Malaysia);**

138.63 **Combat effectively all manifestations of Islamophobia and promote tolerance, intercultural dialogue and respect for diversity in the society (Azerbaijan);**

138.64 **Focus further on preventing religious intolerance, by strengthening measures to prevent and combat Islamophobia while implementing the circular on Flemish citizenship and integration policy (Bangladesh);**

138.65 **Continue to effectively implement the relevant legislation to counter discrimination and hate crimes based on ethnicity and religion (Singapore);**

138.66 **Study whether a national action plan to combat racism should be adopted (Belarus);**

138.67 **Implement public awareness campaigns to promote tolerance and respect for cultural diversity and to counter prejudice, stereotypes, discrimination, racism, and Islamophobia (United Arab Emirates);**

138.68 **Take the necessary steps, firstly, to better protect all victims of xenophobic discrimination, especially Islamophobia; and secondly, to conduct awareness campaigns to counteract amalgams between migrants, Muslims and terrorism (Algeria);**

138.69 **Deepen awareness measures regarding the fight against discrimination, in particular by ensuring the investigation and punishment of acts of a discriminatory nature (Argentina);**

138.70 **Develop and implement education and awareness-raising campaigns to promote diversity and respect, while condemning racism and xenophobia (Canada);**

138.71 **Continue to apply and respect human rights in the implementation of counter-terrorism measures, notably for the rights to privacy, freedom of expression and movement (Republic of Korea);**

138.72 **Ensure that domestic measures in the fight against terrorism and all forms of extremism uphold the fundamental rights (Thailand);**

138.73 **Ensure effective coordination at the federal, regional and community levels when monitoring the incidence of unlawful ethnic profiling and racism, especially in the context of recent terrorist threats (Iceland);**

138.74 **Improve police training in order to raise awareness against racial profiling (Turkey);**

138.75 **Continue its efforts to improve conditions in detention facilities in line with the Bangkok Rules (Thailand);**

138.76 **Maintain endeavours to decrease overcrowding of prisons and detention facilities through continued facility construction and improvements by other means (United States of America);**

138.77 **Enhance its efforts to prevent prison overcrowding (Djibouti);**

138.78 **Continue to decrease prison overcrowding by providing new and adequate detention facilities (Germany);**

138.79 **Continue efforts to reduce prison overcrowding in the context of the Master Plan 2008—2012—2016 (Greece);**

138.80 **Step up efforts to improve conditions in prisons, in particular in relation to overcrowding (Slovakia);**

138.81 **Continue to improve conditions in its prisons, including in relation to overcrowding and specific facilities for offenders with mental health disorders (Australia);**

138.82 **Take effective steps to improve prison conditions and to reduce overcrowding (Azerbaijan);**

138.83 **Continue to improve the measures so that adequate access to health care and rehabilitation services needed are in place for detained psychiatric patients (Canada);**

138.84 **Develop and implement a comprehensive and coordinated strategy to fight domestic violence, particularly violence against women (Cuba);**

138.85 **Fully implement its national action plan to combat intimate partner violence and other forms of domestic violence (Sweden);**

138.86 **Continue giving priority attention to domestic and gender-based violence, in particular rape and other crimes of sexual violence, at all levels, including such caused by police and the judiciary (Bulgaria);**

138.87 Follow up on national policies to support victims of intrafamily violence (Dominican Republic);

138.88 Adopt as soon as possible and effectively implement the national action plan 2015—2019 against gender-based violence (Kazakhstan);

138.89 Make the necessary efforts for the ratification of the Fifth National Action Plan 2015—2019 (Dominican Republic);

138.90 Continue its efforts in the area of women's rights and ensure the effective implementation of the sixth national action plan on the fight against gender-based violence (Iceland);

138.91 Provide the most recent national plan to fight violence against woman and girls, for the 2015—2019 period, with sufficient funds to ensure its effective implementation (Spain);

138.92 Continue efforts to implement the national action plan against all forms of gender-based violence (France);

138.93 Continue its focus on domestic and gender-based violence and ensure the effective implementation of the national action plan in this regard (Serbia);

138.94 Facilitate the effective access to justice for women in cases of sexual harassment (Greece);

138.95 Increase the number and capacity of shelters for women who are victims of violence and ensure that all women have non-discriminatory access thereto (Liechtenstein);

138.96 Take measures to fight against and prevent child ill-treatment, in particular abuse of street children (Portugal);

138.97 Strengthen the coordination between the different authorities intervening in the combat against trafficking, including those in charge of assisting and protecting victims, in particular children (France);

138.98 Adopt measures to strengthen its mechanisms to combat trafficking, with a special focus on trafficking of boys and girls for sexual exploitation (Honduras);

138.99 Increase the efforts to combat trafficking and smuggling of persons, through the effective implementation of its National Action Plan (Panama);

138.100 Explore additional legislative and policy measures to prevent trafficking of children for sexual purposes (Serbia);

138.101 Continue ongoing efforts to combat human trafficking in line with the National Action Plan to combat trafficking of human beings and the international commitments (Sri Lanka);

138.102 Reinforce identification of child trafficking victims and ensure that referral and assistance mechanisms are provided and adapted to the victims' needs and best interests (Republic of Moldova);

138.103 Continue strengthening the mechanisms for assistance to victims of trafficking, with special emphasis on children victims of this crime (Colombia);

138.104 Continue efforts on the international level in the fight against impunity (Armenia);

138.105 **Consider abolishing the requirements for medical interventions for transgender people who wish to obtain legal recognition of their gender (Israel);**

138.106 **Amend the legislation to allow the change of the civil identity without need of previous surgery (Spain);**

138.107 **Strengthen national understanding and tolerance to counter manifestations of religious discrimination (Tajikistan);**

138.108 **Continue efforts to ensure that Jews and Muslims can practice their religion freely (United States of America);**

138.109 **Encourage the participation and representation of citizens in all sectors of the society regardless of their origin or religion (Saudi Arabia);**

138.110 **Enhance gender mainstreaming activities with a focus to increase women's participation in decision-making and address the gender pay gap (Malaysia);**

138.111 **Consolidate the gender equality in the professional field by applying the principle "equal pay for equal work" in the pay system, to reduce wage gaps linked to gender, which consequently leads to differences on retirement pensions between men and women (Algeria);**

138.112 **Adopt concrete measures to eliminate differentiation at work and reduce inequality by ensuring the strict implementation of the 2012 Law aimed at reducing wage inequality based on sex (Panama);**

138.113 **Enforce legislation that prohibits discrimination, particularly based on gender, race and belief, to improve the economic opportunities and conditions of work for women and minority groups (Malaysia);**

138.114 **Take early and adequate action to curb structural discrimination against persons of foreign origin in the field of employment (India);**

138.115 **Adopt measures to ensure the employment of youth and also other vulnerable groups of the population, including persons with disabilities and migrants (Russian Federation);**

138.116 **Persevere in the fight against child poverty and render it a national priority (Costa Rica);**

138.117 **Continue to promote the access of vulnerable groups to education (Angola);**

138.118 **Continue programmes on human rights education, including on prevention (Armenia);**

138.119 **Continue its efforts in the area of human rights education and training, especially with activities aimed at implementing the third phase of the World Programme for Human Rights Education (Slovenia);**

138.120 **Adopt a national plan of action focusing on persons with disabilities (Estonia);**

138.121 **Further develop policies related to inclusion of people with disabilities, especially regarding inclusive education (Israel);**

138.122 **Continue on the path of effective realization of the rights of persons with disabilities and take further steps to promote the recruitment and employment of persons with disabilities (State of Palestine);**

138.123 **Improve access to public services for people with a disability, particularly educational and postal services (Australia);**

138.124 **Establish an accessibility strategy for persons with disabilities through a national plan (Spain);**

138.125 **Carry on with the education coverage, especially the integration of children with disabilities (Dominican Republic);**

138.126 **Continue its efforts to prevent discrimination against the Roma population (Peru);**

138.127 **Accelerate the implementation of the national strategy for Roma integration and fight against discrimination in employment, education and health care (Benin);**

138.128 **Adopt effective measures to implement the national strategy for Roma integration and to combat discrimination against this category of population in employment, education and health care (Russian Federation);**

138.129 **Promote and protect the rights of indigenous peoples, peasants and other people working in rural areas (Plurinational State of Bolivia);**

138.130 **Protect small-scale farming in the country and implement plans designed to preserve it (South Africa);**

138.131 **Make further efforts to enhance integration in general through, inter alia, addressing unemployment among young and foreign-born citizens, and in particular to prevent radicalization (Sweden);**

138.132 **Ensure fully safety and security of migrant workers and their families (Bangladesh);**

138.133 **Increase the measures to prevent and punish domestic violence, particularly against migrant women (Colombia);**

138.134 **Ensure that the protection against violence affecting refugees becomes a visible policy of the Government (Colombia);**

138.135 **Increase development assistance to reach the target of 0.7 per cent of the gross national product in the interests of the sustainable development of developing countries (China).**

139. **The following enjoy the support of Belgium, which considers that they are already implemented or in the process of implementation:**

139.1 **Guarantee direct applicability of the International Covenant on Economic, Social and Cultural Rights in the domestic legal order (Egypt);**

139.2 **Adopt a national action plan on gender mainstreaming (South Africa);**

139.3 **Adopt legislation to combat discrimination, racism, extremism and xenophobia (Honduras);**

139.4 **Take effective measures to prevent public officials, when performing their duties, from discriminating against individuals on the basis of religion or belief (Saudi Arabia);**

139.5 **Prosecute perpetrators of xenophobic and hate crimes (Pakistan);**

139.6 **Enhance its efforts on the full implementation of the Convention against Torture (Indonesia);**

139.7 Ensure all persons who are held in custody have the benefit, from the very outset of their deprivation of liberty, of all the fundamental legal safeguards (Islamic Republic of Iran);

139.8 Conduct an impartial investigation of all cases of ill-treatment and excessive use of force by law enforcement officials, including on racial grounds (Uzbekistan);

139.9 Investigate all allegations of excessive use of force, racially motivated violence and ill-treatment by law enforcement officials and bring those responsible to justice (Azerbaijan);

139.10 Take all measures to immediately put an end to racially motivated violence and ill-treatment by police officers of persons with an immigrant background (Islamic Republic of Iran);

139.11 Ensure that all persons deprived of liberty are held in humane conditions, including in line with the United Nations Basic Principles for the Treatment of Prisoners and the Standard Minimum Rules for the Treatment of Prisoners (Bulgaria);

139.12 Conduct active reforms in the fight against prison overcrowding (Angola);

139.13 Adopt measures to place detainees suffering mental illness in establishments that are separate from common prisons (Uruguay);

139.14 Continue to adopt legislative and executive measures against gender-based violence, with special attention to migrants (Sri Lanka);

139.15 Prohibit all corporal punishment of children in all settings, including in the home (Estonia);

139.16 Consider developing legislation and agreements which allow for alternatives to imprisonment in cases of minor offenses (Uruguay);

139.17 Ensure that the processing of personal data be conducted in compliance with national and international standards and obligations, and that any violations be investigated and redress provided to victims (Liechtenstein);

139.18 Develop a specific action plan for people with disabilities at the national level and establish advisory councils in harmony with federal policies and the federated entities (Congo);

139.19 Ensure a supported decision-making mechanism for people with disabilities (Israel);

139.20 Review the legislation and adopt measures to ensure equal access to education for disabled children, children with special education needs, children of foreigners or from poor families and/or minorities (Mexico);

139.21 Take additional measures for the access for migrants in an irregular situation to health-care services (Greece);

139.22 Ensure that migrant women can seek protection from domestic violence and halt deportation procedures in this context (Albania);

139.23 Reconsider all its policies in relation to refugees and asylum seekers so that they are not deprived from their fundamental and social rights, in particular to ensure that children and unaccompanied minors are not detained or placed in adult detention centres (Afghanistan);

139.24 Restrain detention of asylum seekers to exceptional cases, always seeking the judicial review of these detentions, in accordance with human rights international law (Chile);

139.25 Following the recommendation of Mexico during the previous cycle regarding the systematic abolition of the detention of migrants and asylum seekers, adopt measures to implement the recommendations of the Office of the United Nations High Commissioner for Refugees and ensure that the access to justice for foreigners does not have negative consequences regarding their stay in the country, even in cases of acts based on xenophobia and racial discrimination (Mexico);

139.26 Adopt legal and administrative measures aimed at guaranteeing the principle of non-refoulement, in order to prevent extradition or return of asylum seekers and migrants who are at risk of being subject to torture or ill-treatment (Argentina).

140. The following recommendations will be examined by Belgium, which will provide responses in due time, but no later than the thirty-second session of the Human Rights Council, in June 2016:

140.1 Ratify the Optional Protocol to the Convention against Torture and establish without delay an effective national preventive mechanism with adequate personnel and financial resources (Czech Republic);

140.2 Intensify the work aimed at the ratification of the Council of Europe Framework Convention for the Protection of National Minorities, signed by Belgium in 2002 (Hungary);

140.3 Ratify the Framework Convention for the Protection of National Minorities, signed in 2001, following on Council of Europe resolution 1301 (Switzerland);

140.4 Accelerate and strengthen legislative and educational actions to combat discrimination in all its forms (Djibouti);

140.5 Enhance and activate laws and legislation in order to combat all forms of discrimination, racism and xenophobia (Lebanon);

140.6 Activate efforts to eradicate the expressions of hatred, persecution and harassment on ethnic, cultural and linguistic grounds through partnerships and establishing trust and dialogue between religions and cultures and see this as of respecting human rights (Tajikistan);

140.7 Banish any forms of racism, discrimination and xenophobia in political discourse, media and social life (China);

140.8 Adopt measures to criminalize the incitement to imminent violence on the basis of religion and belief (Saudi Arabia);

140.9 Develop a national strategy against racial discrimination, xenophobia and Islamophobia based on a dialogue with non-governmental organizations (Turkey);

140.10 Strengthen the national plans and policies to prevent acts of discrimination and violence motivated by racial and/or religious hatred, xenophobia, homophobia and gender grounds (Chile);

140.11 Adopt a national action plan against racism, racial discrimination, xenophobia and related intolerance, including religious intolerance and discrimination (Brazil);

140.12 Adopt a comprehensive national action plan to combat racism and discrimination (Uzbekistan);

140.13 Adopt a national action plan against racism (South Africa);

140.14 Adopt a national action plan against racism; ban all organizations that promote and incite racial discrimination; and adopt clear measures to effectively combat racially motivated violence by the law enforcement officers (Botswana);

140.15 Strengthen legislation against discrimination by adopting a national action plan against racism, racial discrimination, xenophobia and intolerance (Côte d'Ivoire);

140.16 Adopt a national plan owned by the different entities against racism, racial discrimination, xenophobia and intolerance (France);

140.17 Adopt an inter-federal plan to combat racism, racial discrimination, xenophobia and related intolerance (Islamic Republic of Iran);

140.18 Take further action to put in place measures to monitor, detect and condemn manifestations of racism, discrimination and xenophobia and adopt a national plan addressing and combating racism and discrimination against ethnic minorities (Namibia);

140.19 Establish a comprehensive plan and a system for recording and monitoring developments in the area of preventing xenophobia and discrimination, including hate speech and hate crimes (Norway);

140.20 Put a political plan and a clear strategy to ensure that overlooked ideas about Islamophobia, xenophobia and intolerance are accounted for by those who work in public office and civil service (Bahrain);

140.21 Implement the resolution 16/18 on combatting intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence, and violence against persons based on religion or belief (Bahrain);

140.22 Pay particular attention to protecting from discrimination and treating appropriately older persons in the society (Tajikistan);

140.23 Consider recruiting independent experts to its Standing Committee for Police Monitoring from outside the police, in line with the 2014 recommendations of the Committee Against Torture (Australia);

140.24 Strengthen control and supervision mechanisms for the police, particularly through the Standing Committee for Police Monitoring and its Investigation Service (Costa Rica);

140.25 Carry out an evaluation on ethnic profiling within the police organization (Netherlands);

140.26 Enhance efforts to alleviate prison overcrowding and improve the overall conditions in places of detention, including assessing the impact and effectiveness of measures adopted thus far to address this issue (Czech Republic);

140.27 **Provide more specialized detention centres for mentally ill or addict detainees that respect their special needs and circumstances (Germany);**

140.28 **Guarantee women effective access to justice in cases of harassment and sexual and domestic violence, and adopt legislation against gender violence (Bolivarian Republic of Venezuela);**

140.29 **Develop additional measures to provide assistance to victims of sexual abuse and sexual violence (Russian Federation);**

140.30 **Introduce a law explicitly prohibiting corporal punishment of children in all settings (Poland);**

140.31 **Develop a national data collection system in the area of the fight against child poverty (Canada);**

140.32 **Consider debating and adopting the framework of the law on the right to food (Plurinational State of Bolivia);**

140.33 **Adopt a national legal framework for the rights of people with disabilities regarding accessibility, care, education and employment (Turkey);**

140.34 **Fully respect the human rights of asylum seekers, refugees and migrants and to address intolerance, violence by police officers and discrimination in the areas of employment and housing (Japan);**

140.35 **Ensure that its policies, legislation, regulations and enforcement measures effectively serve to prevent and address the heightened risk of business involvement of abuses in conflict situations, which includes situations of foreign occupation (State of Palestine).**

141. **The recommendations below did not enjoy the support of Belgium and would thus be noted:**

141.1 **Undertake a revision of its reservations to the International Covenant on Civil and Political Rights and other core international human rights treaties with a view to deepen and broaden the human rights protection in the country (Czech Republic);**

141.2 **Make the necessary adjustments to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Chile);**

141.3 **Continue its efforts to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);**

141.4 **Consider favourably acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Peru);**

141.5 **Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines) (Sri Lanka);**

141.6 **Accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Turkey) (Azerbaijan) (Uruguay) (Algeria) (Ecuador) (Ghana) (Honduras) (Senegal);**

141.7 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Algeria) (Azerbaijan) (Egypt) (Ghana) (Honduras) (Senegal);**

141.8 **Ratify the United Nations Educational, Scientific and Cultural Organization Convention against Discrimination in Education (Tunisia) (Benin) (Côte d'Ivoire) (Ghana) (Honduras) (Portugal);**

141.9 **Such a legal framework will provide for the prosecution of human rights violations in national courts (Fiji);**

141.10 **Expedite the process of establishing a fully functioning Independent National Human Rights Institution that is fully compliant with the Paris Principles by the end of 2017 (United Kingdom of Great Britain and Northern Ireland);**

141.11 **Further advance its national efforts on the promotion and protection of human rights through, among others, developing a comprehensive Human Rights National Action Plan (Indonesia);**

141.12 **Initiate visits of the Human Rights Council special procedures on the right to education and adequate housing and food with a view to developing more effective measures to drop poverty levels (Belarus);**

141.13 **Take other legislative measures to declare illegal organizations that incite racial discrimination (Democratic Republic of the Congo);**

141.14 **Continue the revision of anti-terrorism and data protection legislation and policies and repeal the provisions that contravene the applicable international law in areas such as due process and imprisonment; and develop measures to prevent and combat racial profiling by law enforcement bodies (Mexico);**

141.15 **Ensure that the legal definition of torture is in line with Convention against Torture (Egypt);**

141.16 **Investigate and punish in an exemplary fashion cases of disproportionate use of force, racial violence and ill-treatment by law enforcement officers and effectively address racism, discrimination and incitement to racial and religious hatred (Bolivarian Republic of Venezuela);**

141.17 **Reform comprehensively the prison system and respect the United Nations Standard Minimum Rules for the Treatment of Prisoners. It is fundamental that the authorities guarantee the rights of persons deprived of their liberty, from the moment of their detention (Bolivarian Republic of Venezuela),**

141.18 **Review detention conditions so that they are in conformity with the United Nations Standard Minimum Rules for the Treatment of Prisoners and that this be achieved before the publication of the third national report (Fiji);**

141.19 **Eliminate all forms of violence against women in detention places by some members of the judicial police and the need to prosecute them and avoid impunity (Libya);**

141.20 **Adopt specific legislation on domestic violence, especially violence against women and children (Islamic Republic of Iran);**

141.21 **Adopt specific legislation on domestic violence, especially violence against women (Brazil);**

141.22 Consider adopting specific legislation on domestic violence and violence against women (Israel);

141.23 Consider the recommendation of the Committee on Economic, Social and Cultural Rights to adopt specific legislation on domestic violence, particularly against women (Nicaragua);

141.24 Positively consider adopting specific legislation on domestic violence, especially violence against women, with a view to ensuring synergy with the implementation of the national action plan 2015—2019 for combating gender-based violence (Republic of Korea);

141.25 Reduce the high number of persons in preventive detention and limit its systematic use through alternative options to detention (Bolivarian Republic of Venezuela);

141.26 Provide protection for the family as the natural and fundamental unit of the society (Egypt);

141.27 Search the consent of Belgian Muslims on any initiative to codify the practice of Islam (Turkey);

141.28 Eliminate religious discrimination, including prohibitions on wearing religious symbols or clothing (United Arab Emirates);

141.29 Rescind the decision to prohibit the peaceful expression of religious beliefs, including the wearing of religious symbols in schools, in line with the freedom of religion or belief guaranteed by the Universal Declaration of Human Rights, the Convention on the Rights of the Child, and the European Union Guidelines on the promotion and protection of freedom of religion or belief (Malaysia);

141.30 Decriminalize defamation (Ireland);

141.31 Review the norms on defamation in the context of the international frameworks related to freedom of expression and opinion (Peru);

141.32 Put an end to all forms of discrimination by employers against workers from religious minorities in the public and private sectors, including the adoption of internal regulations banning the wearing of clothes representing a religion or a culture (Libya);

141.33 Continue its efforts in providing migrants, including those in irregular situation and migrant children, access to health, education, and other social services at par with its nationals (Philippines);

141.34 Halt the systematic use of detention of asylum seekers at the borders (Egypt);

141.35 Comply with the recommendations of the Committee on Economic, Social and Cultural Rights to prepare studies on the impact on the human rights of local communities in third countries of agro-fuel projects promoted by Belgian companies (Ecuador);

141.36 Implement the recommendations of the Committee on Economic, Social and Cultural Rights, specifically recommendations 21 and 22 (Plurinational State of Bolivia).

142. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

Composition of the delegation

La délégation de la Belgique était présidée par le Vice-Premier Ministre et Ministre des affaires étrangères, du commerce extérieur et des affaires européennes, S.E.M. Didier REYNDERS, et composée des membres suivants:

- S.E.M. Bertrand DE CROMBRUGGHE, Ambassadeur, Représentant permanent de la Belgique auprès de l'Office des Nations Unies à Genève;
- M. Bart OUVRY, Ministre plénipotentiaire, Directeur droits de l'homme et démocratie, Service public fédéral (SPF) affaires étrangères:
- M. Karl DHAENE, Ministre conseiller, Représentant permanent adjoint de la Belgique auprès de l'Office des Nations Unies à Genève;
- Mme Sibille DE CARTIER, conseillère, Cellule stratégique du Ministre des affaires étrangères;
- M. David MARECHAL, porte-parole du Ministre des affaires étrangères;
- M. Didier VANDERHASSELT, porte-parole, SPF affaires étrangères;
- Mme May PERSOONS, conseillère, Cellule stratégique du Ministre-président du Gouvernement flamand et Ministre flamand de la politique extérieure et du patrimoine immobilier;
- M. Alfons VANHEUSDEN, conseiller, Cellule stratégique du Ministre de la justice;
- Mme Lynn VERRYDT, conseillère, Cellule stratégique de la Secrétaire d'État à la lutte contre la pauvreté, à l'égalité des chances, aux personnes handicapées, et à la politique scientifique, chargée des grandes villes et adjointe au Ministre des Finances;
- M. Philippe WERY, Chef du Service des droits de l'homme, Direction générale législation, libertés et droits fondamentaux, SPF justice;
- Mme Alexandra ADRIAENSSENS, Directrice, Ministère de la Communauté française, Direction de l'égalité des chances;
- Mme Véronique JOOSTEN, adjointe du Directeur droits de l'homme et démocratie, SPF affaires étrangères;
- M. Pierre GILLON, Premier Secrétaire, Représentation permanente de la Belgique auprès de l'Office des Nations Unies à Genève;
- M. Kris DIERCKX, conseiller, délégué du Gouvernement flamand auprès des organisations multilatérales à Genève;
- M. Henri MONCEAU, Haut-Représentant « droits fondamentaux, société de l'information et économie numérique », Délégation Wallonie-Bruxelles à Genève;
- Mme Véronique DE BAETS, attachée, Institut pour l'égalité des femmes et des hommes;
- Mme Nathalie DE NUL, attachée juriste, Département flamand des affaires étrangères, division de la politique;

- Mme Stéphanie HAUTOT, attachée, Division des affaires internationales, SPF emploi, travail et concertation sociale;
- Mme Chantal GALLANT, attachée, Service des droits de l'homme, Direction générale législation, libertés et droits fondamentaux, SPF justice;
- Mme Sylvie KORMOSS, attachée, Cellule internationale, SPF intérieur;
- Mme Audrey MONCAREY, attachée pour la Communauté française de Belgique et de la Région wallonne à Genève;
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